

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHOI et al.

Group Art Unit: 2829

Serial No.: 09/786,357

Examiner: T. Nguyen

Filed: March 14, 2001

For: ELECTRONIC COMPONENT LEAD INSPECTION DEVICE

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Official Action of June 4, 2002, in connection with the above-identified application. The Official Action requires an election of species and indicates that the application contains four patentably distinct species.

The Official Action requires Applicants to elect a single disclosed species for the prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable. It is concluded in the Official Action that no claim is generic.

Applicants elect with traverse to prosecute the invention designated as Species B) including the species of Figures 9, 10 and 11.

As set forth on page 8 of Applicants' specification, Figure 9 is a drawing illustrating passage where a bottom view image of an electronic component lead is transmitted in acquiring means according to the first embodiment of the present invention. Figure 10 is a drawing for illustrating passages where images of a first side view and a third side view. Figure 11 deals with images of a second side view and a fourth side view. These are grouped together in the Official Action as a patentably distinct embodiment which Applicants have elected.

In accordance with the further requirement set forth in the Official Action, Applicants most respectfully submit that at least claims 2-9 and 11 are readable on the elected invention and should therefore be examined on the merits.


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Moreover, Applicants wish to note that the present application is a national stage application which is a 371 application of a PCT application in which there was no lack of unity objection. Therefore lack of unity standard applies and not the normal restriction practice and this is a further reason for withdrawal of the election requirement. There is no additional burden on the Office to do an additional search beyond that shown in the International Search Report.

In this regard, Applicants note that the present claims were indicated to be allowable over the prior art of record in the International Search Report which prior art should be considered when responding to the Official Action. It is believed that all of the claims now present in the application, which have been amended from those originally filed in the PCT application are in full compliance with 35 U.S.C. 112 and are clearly patentable over the references of record.

In view of the above, an early action on the merits taking into consideration the prior art searched in the International Search Report is now in order and is most respectfully requested.

Respectfully submitted,
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June 25, 2002